

EXHIBIT 1

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

NAME: MICHELLE MARIE ROSE

ADDRESS: 13232 PAINESVILLE WARREN ROAD

CITY, STATE AND ZIP: PAINESVILLE OHIO 44077

PHONE: 216-324-5608

PLAINTIFF

VS.

NAME: UNIVERSITY HOSPITALS INC.

ADDRESS: 11100 EUCLID AVENUE

CITY, STATE AND ZIP: CLEVELAND, OHIO 44106

PHONE: 216-593-5500

DEFENDANT(S)

AND

NAME: UNIVERSITY HOSPITALS PHYSICIAN SERVICES INC

ADDRESS: 20800 HARVARD ROAD

CITY, STATE AND ZIP: HIGHLAND HILLS, OHIO 44122

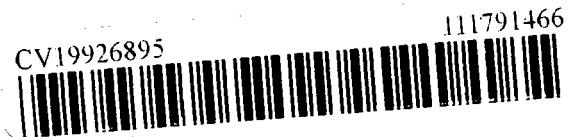
PHONE: 216-593-5500

DEFENDANT(S)

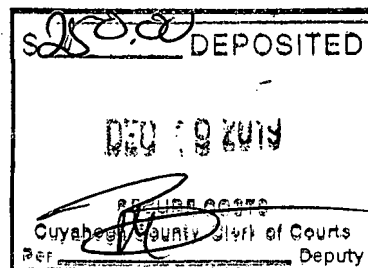
Judge: SHERRIE MIDAY

CV 19 926895

COMPLAINT



FILED
2019 DEC 20 P 1:29
CLERK OF COURTS
CUYAHOGA COUNTY



COMPLAINTS:

1. Harassment and retaliation for whistle blowing
 - a. After meeting with the financial department and upper management at University Hospitals regarding many incorrect charges on my physicians financials, UHPS President and UHPS Vice President "resigned" from their positions. Management at the hospital had then taken over. University Hospitals pension plans were "frozen" and new ones were implicated.
 - b. All UHPS office managers had a title change and job description. The office managers were also removed as salary employees and changed to hourly.
 - c. UHPS employees had their earned sick time was "frozen" and could only be used if we had a medical reason such as surgery.
 - d. UHPS paid time off "PTO" was revamped and some managers had employees in the practice earning more vacation time than the managers were now earning.

2. Violation of my FMLA rights.
 - a. I was on FMLA for personal medical issues and that was July 2017 through July 2018. It was approved.
 - b. I initiated a second FMLA for my father who was diagnosed in August of 2017 with pancreatic cancer which was also approved.
 - c. I had an FMLA for my scheduled reconstructive knee surgery November 27, 2017. Originally denied and later approved.

I received a call from the VA Medical Center on October 20, 2017 that my father was sent to the ICU and it did not look good. I went to the VA Medical Center and contacted my direct supervisor and office letting them know that I would not be back in the office. I did however have my finance go to the office and pick up my laptop, billing tickets that needed to be entered and many other things that I would work on while I was at the VA Medical Center.

My director Brian Boardman, and my supervisor Cindy Clark were both aware of me working while on FMLA and would even call me, email me and ask me to do things while on FMLA.

I was on a continuous FMLA leave from October 20, 2017 through November 20, 2017 and worked during the entire FMLA leave with my director and business manager fully aware and supporting my working while on continuous leave.

I returned to work on Monday November 20, 2017 and worked that entire week and took work home as well for the weekend. I was promised help in the office while I was on FMLA and that did not happen and I came back to the office with piles and piles of charge entry tickets on my office floor. I had reconstructive knee surgery on Monday November 27, 2017 and attempted to return to work on Monday December 11, 2017.

I worked Monday through Thursday that week and started having problems with my knee. I called the surgeons office and he scheduled me for a follow up on Friday December 15, 2017. He placed me out of work until January 15, 2018. I informed my supervisor, director and stopped in the office and faxed all papers to the FMLA / short term disability office. I did take the piles of work that needed done home with me.

I was reaching out to the employees via phone calls and text messages as I was having a problem trying to get onto the VPN for work and asked them to email me at my personal home email as I could not get into the one for work.

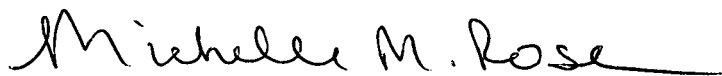
I was called on Wednesday December 20, 2017 10am in the morning and the call was coming from my personal office. I answered and it was Valerie Jaggie and Cynthia Clark who informed me that I was terminated from employment at UH effective today. They did this during clinic hours / business hours where patients and my employees could hear because of being on speaker phone and where my office was located.

I was very upset and humiliated as per UH policy, terminations are to be done in the up most private area and kept very personal. The main termination reason was working while on continuous leave.

Now they had no problem with me working while on a continuous leave October 20, 2017 through November 20, 2017 but now it was a problem.

3. Termination of medical insurance 20 days post op and against my surgeons suggestion.
 - a. I was to have full insurance coverage until the end of January according to Valerie Jaggie. I did see my surgeon on December 29, 2017 and he stated that I needed at least 7 more weeks of physical therapy and also at least two more office visits with him for a follow up.
 - b. Valerie Jaggie did not put in the proper termination date and my insurance ended on December 31, 2017.
 - c. Due to this, I now have been having knee problems with the same knee. I had an appointment with the surgeon again on October 2019. He ordered an MRI. The MRI confirmed that I have a torn meniscus and I now require another surgery as it did not heal properly. I did verbally ask him in the office and my finance present as well, if the lack of medical attention, medications and physical therapy could be a result of this reoccurring injury and the need to have another surgery? He stated that it absolutely could be a result of that.

I am seeking compensation for mental, emotional and physical injuries, violation of my FMLA rights and for the consent harassment sent via email, calls and texts as well.





Judge: SHERRIE MIDAY

CV 19 926895

Common Pleas Court of Cuyahoga County, Ohio

DESIGNATION FORM TO BE USED TO INDICATE THE CLASSIFICATION OF THE CAUSE

Michelle Rose

Plaintiff

Vs.

University Hospitals

Defendant

2019 DEC 20 P 1:29

Case Number:

Date:

12/20/19CLERK OF COURTS
CUYAHOGA COUNTYHas this case been previously filed and dismissed? Yes ☐ No ☒

Case #: _____ Judge: _____

Is this case related to any new cases now pending or previously filed? Yes ☐ No ☒

Case #: _____ Judge: _____

CIVIL CLASSIFICATIONS: Place an (X) In ONE Classification Only.**Professional Torts:**

- ☐ 1311 Medical Malpractice
☐ 1315 Dental Malpractice
☐ 1316 Optometric Malpractice
☐ 1317 Chiropractic Malpractice
☒ 1312 Legal Malpractice
☒ 1313 Other Malpractice

Product Liability:

- ☐ 1330 Product Liability

Other Torts:

- ☐ 1310 Motor Vehicle Accident
☐ 1314 Consumer Action
☐ 1350 Misc. Tort

Workers Compensation:

- ☐ 1550 Workers Compensation
☐ 1531 Workers Comp. Asbestos

Foreclosures:

- ☐ Utilize Separate Foreclosure Designation Form

Commercial Docket:

- ☐ 1386 Commercial Docket
☐ 1387 Commercial Docket with Foreclosure

Administrative Appeals:

- ☒ 1540 Employment Services
☐ 1551 Other

Other Civil:

- ☐ 1500 Replevin/Attachment
☐ 1382 Business Contract
☐ 1384 Real Estate Contract
☐ 1388 Consumer Debt
☐ 1390 Cognovit
☐ 1391 Other Contracts
☐ 1490 Foreign Judgment
☐ 1491 Stalking Civil Protection Order
☐ 1501 Misc. Other
☐ 1502 Petition to Contest Adam Walsh Act
☐ 1503 Certificate of Qualification for Employment

Amount of Controversy:

- ☒ None Stated
☐ Less than \$25,000
☐ Prayer Amount _____

Parties have previously attempted one of the following prior to filing:

- ☐ Arbitration
☐ Early Neutral Evaluation
☐ Mediation
☒ None

I certify that to the best of my knowledge the within case is not related to any now pending or previously filed, except as noted above.

Firm Name (Print or type)

Michelle Rose

Attorney of Record (Print or Type)

Address

13232 Painesville Wm

Supreme Court #

Address

2nd Painesville OH 44077

Email Address

MEllis4702@aol.com

Phone

216-324-5608

Signature

Michelle Rose



CASE INFORMATION

CV-19-926895 MICHELLE ROSE vs. UNIVERSITY HOSPITALS

[View Printer Friendly Version](#)

Docket Information

From Filing Date		Docket Type 1	Docket Type 2	Docket Type 3	Docket Type 4	Filter Results	
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Filing Date	Docket Party	Docket Type	Docket Description	View Image
12/27/2019	N/A	SR	FEDEX RECEIPT NO. 40669602 DELIVERED BY FEDEX 12/26/2019 UNIVERSITY HOSPITALS PHYSICIAN SERVICES INC PROCESSED BY COC 12/27/2019.	
12/25/2019	N/A	SR	FEDEX RECEIPT NO. 40669601 DELIVERED BY FEDEX 12/24/2019 UNIVERSITY HOSPITALS INC PROCESSED BY COC 12/25/2019.	
12/23/2019	D2	CS	WRIT FEE	
12/23/2019	D2	SR	SUMS COMPLAINT(40669602) SENT BY FEDERAL EXPRESS. TO: UNIVERSITY HOSPITALS PHYSICIAN SERVICES INC 20800 HARVARD ROAD HIGHLAND HILLS, OH 44122-0000	
12/23/2019	D1	CS	WRIT FEE	
12/23/2019	D1	SR	SUMS COMPLAINT(40669601) SENT BY FEDERAL EXPRESS. TO: UNIVERSITY HOSPITALS INC 11100 EUCLID AVENUE CLEVELAND, OH 44106-0000	
12/20/2019	N/A	SF	JUDGE SHERRIE MIDAY	

ASSIGNED (RANDOM)

12/20/2019	P1	SF	LEGAL RESEARCH
12/20/2019	P1	SF	LEGAL NEWS
12/20/2019	P1	SF	LEGAL AID
12/20/2019	P1	SF	COURT SPECIAL PROJECTS FUND
12/20/2019	P1	SF	COMPUTER FEE
12/20/2019	P1	SF	CLERK'S FEE
12/20/2019	P1	SF	DEPOSIT AMOUNT PAID MICHELLE ROSE
12/20/2019	N/A	SF	CASE FILED
12/20/2019	P1	SR	COMPLAINT FILED. SERVICE REQUEST - SUMMONS BY FEDEX TO THE DEFENDANT(S).



Only the official court records available from the Cuyahoga County Clerk of Courts, available in person, should be relied upon as accurate and current.

[Website Questions or Comments.](#)

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CASE NO. CV19926895	D1 FX	SUMMONS NO. 40669601
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Rule 4 (B) Ohio

Rules of Civil
Procedure

SUMMONS

<p>MICHELLE ROSE VS UNIVERSITY HOSPITALS</p>

PLAINTIFF

DEFENDANT

<p>UNIVERSITY HOSPITALS INC 11100 EUCLID AVENUE CLEVELAND OH 44106-0000</p>

Said answer is required to be served on:



Plaintiff's Attorney (Pro Se)

<p>MICHELLE MARIE ROSE 13232 PAINESVILLE WARREN ROAD PAINESVILLE, OH 44077-0000</p>
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Case has been assigned to Judge:

<p>SHERRIE MIDAY Do not contact judge. Judge's name is given for attorney's reference only.</p>

NAILAH K. BYRD
Clerk of the Court of Common Pleas

Aupt. Huff

By _____
Deputy



DATE SENT
Dec 23, 2019

COMPLAINT FILED 12/20/2019



CASE NO. CV19926895	D2 FX	SUMMONS NO. 40669602
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Rule 4 (B) Ohio

Rules of Civil
Procedure

SUMMONS

<p>MICHELLE ROSE VS UNIVERSITY HOSPITALS</p>

PLAINTIFF

DEFENDANT

<p>UNIVERSITY HOSPITALS PHYSICIAN SERVICES INC 20800 HARVARD ROAD HIGHLAND HILLS OH 44122-0000</p>
--

Said answer is required to be served on:



Plaintiff's Attorney (Pro Se)

<p>MICHELLE MARIE ROSE 13232 PAINESVILLE WARREN ROAD PAINESVILLE, OH 44077-0000</p>
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NAILAH K. BYRD
Clerk of the Court of Common Pleas

Aupta Huff

By _____
Deputy



DATE SENT
Dec 23, 2019

COMPLAINT FILED 12/20/2019

